

Report Date: January 24, 2011

United States District Court

for the

Eastern District of WashingtonFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

JAN 25 2011

JAMES R. LARSEN, CLERK
YAKIMA, WASHINGTON DEPUTY**Petition for Warrant or Summons for Offender Under Supervision**

Name of Offender: Eddy Gayland Rucker

Case Number: 2:00CR00215-001

Address of Offender:

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Date of Original Sentence: 11/29/2001

Original Offense: Armed Bank Robbery, 18 U.S.C. § 2113; Conspiracy to Commit Armed Bank Robbery,
18 U.S.C. § 371

Original Sentence: Prison - 48 Months; TSR - 60 Months Type of Supervision: Supervised Release

Asst. U.S. Attorney: Joseph H. Harrington

Date Supervision Commenced: 11/15/2010

Defense Attorney: Kraig Gardner

Date Supervision Expires: 11/14/2011

PETITIONING THE COURT**To issue a summons.**

The probation officer believes that the offender has violated the following condition(s) of supervision:

Violation Number Nature of Noncompliance

1

Special Condition # 14: You shall submit to drug testing and/or treatment and to random, warrantless searches of his person and/or property as directed by the United States Probation Office.**Supporting Evidence:** Eddy Rucker is considered in violation of his period of supervised release in the Eastern District of Washington by failing to report for random urinalysis testing on January 19, 2011.

On January 19, 2011, the defendant completed an individual treatment session and was advised by the counselor that a urinalysis test would be taken. The defendant stated he was going to get something to eat and would return for the group session and to provide the urinalysis test. The defendant failed to return. The defendant has not contacted the treatment facility since.

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Special Condition # 17: You shall enter into and successfully complete an approved substance abuse treatment program, which will include inpatient treatment and aftercare. The inpatient treatment facility will determine the length of the treatment. You shall contribute to the cost of treatment according to your ability to pay. You shall allow full reciprocal disclosure between the supervising officer and treatment provider.

Supporting Evidence: Eddy Rucker is considered in violation of his period of supervised release in the Eastern District of Washington by failing to report for intensive outpatient treatment on January 12, 18, and 19, 2011, at First Step Counseling.

The defendant failed to report for this scheduled treatment on January 12, 2011. When he reported for his next scheduled appointment on January 17, 2011, he stated a migraine had prevented him from attending. The defendant had not contacted First Step or the probation office to advise of any migraine issues.

On January 18, 2011, the defendant once again failed to report for treatment. When he reported for a individual session on January 19, 2011, he notified the counselor he had changed work schedules and was just too tired to attend on January 18, 2011. The defendant had called and left a voice mail at the probation office on January 19, 2011, stating the same. The defendant failed to contact the treatment provider or probation office prior to missing the session as required.

On January 19, 2011, the defendant completed his individual session and was advised he would need to provide a urine sample for testing. The defendant advised the counselor he was going to be returning for the group session and would provide the sample at that time. The defendant failed to return for the group session and also to provide his urinalysis sample.

The defendant is currently scheduled for a status hearing on January 25, 2011, at 1:45 PM in Yakima. It would be respectfully recommended the violations be addressed at that time.

The U.S. Probation Office respectfully recommends the Court issue a summons requiring the defendant to appear to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: 01/24/2011

s/David L. McCary

David L. McCary
U.S. Probation Officer

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THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ Other



Signature of Judicial Officer

1/25/11

Date